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Senate 'Condemnation'

By William Safire

WASHINGTON, Oct. 1 — A bipartisan committee of the U.S. Senate, with the counsel of a former Federal judge, this week issues its "condemnation" of influence-peddling and hostage-profiteering by the President's brother.

More important, President Carter himself is criticized for contributing to his brother's salability because the President knew "the enhancement of Billy Carter's importance in the eyes of the Libyans might be exploited by him for his own economic advantage." Jimmy Carter's protestations of ignorance are dismissed by the Senate with "this possibility was made more serious by the financial difficulties that, as the President knew, Billy Carter was experiencing."

The nine senators and the judge also sharply criticize the Attorney General for hiding an intelligence report from his own investigators while the same top-secret report was being shared with Billy Carter — and most likely, the Libyans — by the President's National Security Adviser.

Lying under oath is also implicitly charged: the aide whose office is closest to Jimmy Carter's is said by the Senate to have "professed not to remember events relevant to the investigation which he could reasonably have been expected to remember."

Most startling of all, neither the President's personal word nor Adviser Brzezinski's sworn testimony are accepted as truth on the subject of telling Billy in April that his secret oil deal was known. Boxed in by conflicting evidence, and determined to protect the President, Brzezinski contradicted himself on the date of the call, leading the Senate to suspect in writing "whether the President participated in the decision to communicate at least some of the information to Billy Carter."

Here we have the President adjudged guilty of condoning his brother's illegal activities; the National Security Adviser officially criticized for "significantly risking" intelligence sources by acting "outside of his normal functions" to avoid political embarrassment; the Attorney General chastised publicly for impeding an investigation and improperly telling the President that he could assure his brother of no prosecution; and the Carter appointments secretary suspected of falsely forgetting under oath.

That's not "much ado about nothing." That is an emphatic condemnation of White House venality. How do the Carterites react? "The subcommittee staff has found no significant impropriety," goes the White House statement (shifting blame to the

previous claims of "no impropriety"), "but has raised certain issues involving questions of judgment." Four years and \$220,000 too late, Mr. Carter is now issuing "guidelines" to forbid his Administration from continuing to do what he refuses to admit is wrongdoing.

That morally sleazy defense — that no crimes were discovered, and only poor judgment was shown — will be snapped up by apologists who have derided as "mediagate" the exposure of Libyan penetration of the White House and its ensuing cover-up.

Let's we forget, the ethical standards promised by the holier-than-thou Carter gang were slightly higher than "we won't commit any felonies and get caught."

However, this devastating Senate report is only the second step down a long road. The report quietly mentions that all testimony is being forwarded to the Justice Department's Office of Professional Responsibility for use in its own internal investigation.

Next comes the Shaheen Report, which the director of the O.P.R. at Justice assures the Senate will not be postponed past the election. Michael Shaheen is known to have blessed the present Attorney General's previous transgressions; Ben Civiletti says he is confident that his loyal subordinate's report will reveal "no improprieties." At least none significant enough to be prosecuted.

As with the Lance prosecution, close examination of Senate and O.P.R. testimony may start a chain reaction. Unreasonable forgetfulness under oath is a crime. Direct conflicts in testimony, which permeate these hearings, call for perjury probes. The prospect of a perjury rap does much to refresh recollections.

Following that, no matter who is elected, will come the special prosecutor. He will investigate the probe of the Vesco-Charter "Sandbox plot" suspiciously compartmentalized by the will closely review the Shaheen probe for misfeasance; he will find out if any other Carter family members received payments from the Libyans; he will seek indictments for any perjurious "I don't recall" that now protect the Georgians.

He will find out if evidence was destroyed or concealed about informal, high-level "assurances" of a post-election pro-Arab tilt that Dictator Qaddafi reported had been made to him.

Farfetched? Nearly two years ago, when a few of us demanded to know why Billy Carter's lobbying for Libya was not being investigated, who would have thought a committee of the Senate would one day issue an unprecedented